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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISIONHARRY J. CLERK
In Re: COURT
CLERKWILLIAM J. STOCKI and
JUDITH M. STOCKI,Chapter 7
Case No. 93-49209-WS
Hon. Walter Shapero

Debtors.

MOTION FOR ORDER AUTHORIZING TRUSTEE TO
ABANDON COMMERCIAL REAL PROPERTY

STUART A. GOLD, ("Trustee"), the duly appointed, qualified and acting Trustee in the above referenced case, for his Motion for Order Authorizing Trustee to Abandon Real Property, pursuant to 11 USC §554, Bankruptcy Rule 6007, and Local Bankruptcy Rule 2.08, states as follows:

1. On September 3, 1993, William J. Stocki and Judith M. Stocki ("Debtors") filed a voluntary petition under Chapter 7 of Title 11 of the United States Code in the United States Bankruptcy Court for the Eastern District of Michigan, Southern Division.

2. All assets of the estate are exempt or abandoned, pursuant to this Court's order of October 27, 1993, with the exception of certain commercial real property situated in Oakland County, State of Michigan, more particularly described as:

T2N, R8E, SEC 25 Part of SW 1/4 BEG AT PT DIST
N 00-06-00 E 545 FT FROM SW SEC COR, TH S 89-41-00
E 429 FT, TH N 00-06-00 E 394 FT, TH ALG SELY LINE OF
GTRR R/W ALG CURVE TO RIGHT, RAD 2646 FT, CHORD
BEARS S 65-43-10 W 468.59 FT, DIST OF 469.21 FT, TH
S 00-06-00 W 200.92 FT TO BEG. 2.93 A

Commonly known as 1080 Welch, Commerce Township,
Michigan 48390. Parcel ID No. 17-25-376-001

3. The Trustee has been in contact with Debtors' realtor, First Commercial Real Estate, and was advised that the property is contaminated by environmental waste. The realtor has requested the Trustee fund an environmental contamination assessment which is required prior to sale.

4. The Debtor's schedule's list the market value on the commercial property at \$400,000.00. Michigan National Bank holds a security interest in the amount of \$240,800.00 and outstanding taxes total \$40,000.00. The proposed real estate commission of 5% on a sale at \$400,000.00 would total \$20,000.00. These deductions leave an equity balance of \$99,200.00. As Debtors hold a 1/2 interest in the property this amount would be reduced by half bringing the estates equity balance to \$49,600.00.

5. There are no funds in the estate available to pay an environmental waste agency to determine the extent of environmental damage and based on information received from interested parties, the Trustee believes that the cost of environmental waste clean up would deplete any value which the estate would realize upon sale of the property.

6. Due to the expense, liabilities, and procedures required to obtain an assessment of the environmental damage and waste removal, the commercial property is extremely burdensome to the estate.

7. Section 554(a) of the Bankruptcy code authorizes the Trustee to abandon any assets that are burdensome to the estate.

8. The Trustee proposes to abandon the commercial real property to the Debtors without being liable for such actions.

9. Under the procedures set forth in Bankruptcy Rule 6007(a) and (c), the

Trustee may abandon the commercial property without a hearing if notice of the Trustee's Motion is sent to all creditors in the case with an opportunity to object to the proposed abandonment and if no such objections are received within fifteen (15) days of the date of the notice to creditors.

10. The Motion will be consummated by the entry of the proposed order authorizing abandonment of commercial real property attached as Exhibit A.

WHEREFORE, the Trustee respectfully requests an order authorizing him to abandon Debtors commercial real property to Debtors, William and Judith Stocki, without holding the Trustee liable for such actions.

GOLD & LANGE

By: _____

STUART A. GOLD (P27766)
24901 Northwestern Highway
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(313) 350-8220

Dated: February 9, 1994
12178

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re:

WILLIAM J. STOCKI and
JUDITH M. STOCKI,

Chapter 7
Case No. 93-49209-WS
Hon. Walter Shapero

Debtors.

ORDER AUTHORIZING TRUSTEE TO ABANDON COMMERCIAL
REAL PROPERTY

This matter has come before the Court upon the Trustee's Motion for Order Authorizing Trustee to abandon commercial real property. Notice was given to all creditors and interested parties. No objections were timely served and the Court is fully advised in the premises.

IT IS ORDERED that the Trustee is authorized to abandon the commercial real property commonly known as 1080 Welch, Commerce Township, Michigan, more particularly described in the Trustee's Motion, to Debtors, William and Judith Stocki. The Trustee shall not be held liable for abandonment of the commercial real property, or matters relating to the real property, upon entry of this Order.

UNITED STATES BANKRUPTCY JUDGE

12178

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EXHIBIT A